United Nations A/C.3/60/L.47

General Assembly

Distr.: Limited
2 November 2005

Original: English

Sixtieth session
Third Committee
Agenda item 71 (c)
Human rights questions: human rights situations and reports of special rapporteurs and representatives

Albania, Australia, Austria, Belgium, Canada, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia and the United Kingdom of Great Britain and Northern Ireland: draft resolution

Situation of human rights in the Sudan

The General Assembly,

Guided by the Charter of the United Nations and the Universal Declaration of Human Rights,[1] and recalling the International Covenants on Human Rights[2] and other relevant human rights instruments,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and the duty to fulfil the obligations they have undertaken under the various international instruments in the field,

Reaffirming also Commission on Human Rights resolution 2005/82, of 21 April 2005,[3]

Recalling Security Council resolutions 1296 (2000) of 19 April 2000, 1325 (2000) of 31 October 2000, 1556 (2004) of 30 July 2004, 1590 (2005) of 24 March 2005, 1591 (2005) of 29 March 2005, and 1593 (2005) of 31 March 2005,

Recognizing that good governance, democracy, the rule of law and respect for human rights are essential to achieving sustainable development and economic growth,

[1] Resolution 217 A (III).
[2] Resolution 2200 A (XXI), annex.
[3] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* (E/2005/23), chap. II.A.

05-58626 (E) 071105

1. *Welcomes*:

(a) Progress made in implementing the Comprehensive Peace Agreement concluded in Nairobi on 9 January 2005;

(b) The adoption of the interim constitution on 9 July 2005 and the provisions for human rights therein;

(c) The commitments made by both parties, in the aftermath of the death of first Vice-President Dr. John Garang de Mabior on 30 July 2005, to continue to work together in implementing the Comprehensive Peace Agreement;

(d) The full involvement of the Commission of the African Union in the search for a political solution in Abuja and the signature of the Declaration of Principles as an initial step;

(e) The efforts of the African Union Mission in the Sudan in Darfur to stabilize the security situation on the ground;

(f) The support pledged by the international community to the African Union Mission in the Sudan in Addis Ababa and the contributions delivered thus far;

(g) The appointment of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Sudan;

(h) The cooperation extended by the Government of National Unity to the Special Rapporteur on her mission to the country from 15 to 22 October;

(i) The decision by the Office of the Prosecutor of the International Criminal Court to commence an investigation into crimes allegedly committed in Darfur;

(j) The activities of Human Rights Unit of the United Nations Mission in the Sudan and of the Office of the United Nations High Commissioner for Human Rights in support of human rights in the Sudan to date;

2. *Concerned* at:

(a) The delays in the implementation of the Comprehensive Peace Agreement and the establishment of the Assessment and Evaluation Commission;

(b) The protracted humanitarian crisis in Darfur and recent upsurge in violence perpetrated by all parties to the conflict;

(c) The continuing climate of impunity in the Darfur region, particularly in the area of violence against women and girls;

(d) The forced relocation of displaced people, particularly in the peri-urban settlements around Khartoum;

3. *Condemns*:

(a) Continued violations of the Ceasefire Agreement concluded in N'djamena on 8 April 2004 and the Abuja Protocols on Improvement of the Humanitarian Situation and Enhancement of the Security Situation of 9 November 2004 by all parties to the conflict and the impact this has had on humanitarian efforts;

(b) Continued violence against civilians, including sexual violence, extrajudicial killings, disappearances, arbitrary detention and torture, widespread displacement, denial of religious freedom and other violations of human rights throughout the country;

(c) Attacks on humanitarian agencies and non-governmental organizations and African Union staff;

(d) Imposition of the death penalty and punishments that constitute cruel, inhuman or degrading treatment;

4. *Calls* on all parties to the conflict:

(a) To participate without preconditions at the Abuja talks and negotiate constructively to ensure a swift and sustainable agreement to resolve the Darfur conflict;

(b) To cease all acts of violence and respect fully the N'djamena Ceasefire Agreement and the Abuja Protocols;

(c) To grant immediate, safe and unhindered humanitarian access to Darfur and elsewhere in the Sudan and to cooperate fully with the humanitarian agencies working to alleviate the suffering of the affected populations;

(d) To cooperate fully with the relevant bodies and mechanisms of the United Nations and the African Union involved in the search for a solution to the multiple crises affecting the Sudan, including Darfur;

(e) To cooperate fully in the implementation of Security Council resolutions 1296 (2000) 1325 (2000), 1556 (2004), 1590 (2005), 1591 (2005) and 1593 (2005);

(f) To grant the International Committee of the Red Cross access to all persons detained under their authority, including those detained in relation to the situation in Darfur;

(g) To avoid the spread of violence to other parts of the Sudan, including in the East;

5. *Calls* on the Government of National Unity:

(a) To respect and protect human rights and to comply fully with its international human rights obligations and to fulfil commitments it has made to ratify as a matter of priority treaties to which it is not a party, including the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[4] and the Convention on the Elimination of All Forms of Discrimination against Women;[5]

(b) To continue to move forward with the implementation of the Comprehensive Peace Agreement, including the establishment of the Assessment and Evaluation Commission;

(c) To cooperate fully with the International Criminal Court;

---

[4] United Nations, *Treaty Series*, vol. 1465, No. 24841.

[5] United Nations, *Treaty Series*, vol. 1249, No. 20378.

(d) To stop violations of human rights and to end the prevailing culture of impunity and effectively investigate human rights violations and bring the perpetrators to justice, in accordance with international standards of due process;

(e) To strengthen the independence of the judiciary and to take further steps to guarantee freedom of expression;

(f) To promote a peaceful solution in East Sudan based on dialogue and spirit of compromise;

(g) To disarm the Janjaweed militias in conformity with the relevant Security Council resolutions;

(h) To continue its programme to demobilize, disarm and reintegrate former combatants, taking into account the special needs of women and children, including girls, associated with those combatants;

6. *Encourages* the African Union:

(a) To continue to contribute towards international efforts to protect and promote human rights in Darfur, as well as to coordinate international efforts towards the protection of civilians, with particular attention to vulnerable groups including internally displaced persons, returning refugees and women and children, within its capabilities and in close cooperation with other United Nations agencies, related organizations, and non-governmental organizations;

(b) To pursue its important role in ensuring a successful conclusion to the Abuja peace talks;

7. *Encourages* the international community:

(a) To continue and expand its support towards full implementation of the Comprehensive Peace Agreement, which will be conducive to sustained international support for development of the country;

(b) To continue its support for the African Union efforts and activities aimed at establishing an environment conducive to peace in Darfur, including by providing adequate logistical and financial support to the African Union Mission in the Sudan in Darfur to enable it to achieve its objectives;

(c) To continue to support efforts aimed at promoting and protecting human rights in the Sudan, and to contribute towards humanitarian relief, recovery and reconstruction activities in the Sudan, including the affected population in Darfur to complement the efforts of the Government of National Unity;

8. *Requests* the Secretary-General to submit a report to the General Assembly at its sixty-first session on the progress made in the implementation of the present resolution.